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Corporation Home Equity Trust, Series 2005-HE2, Asset Backed Pass-Through Certificates,  
Series 2005-HE2*

9 **UNITED STATES DISTRICT COURT  
10 DISTRICT OF NEVADA**

11 U.S. BANK, NATIONAL ASSOCIATION, AS  
12 TRUSTEE FOR ASSET BACKED  
13 SECURITIES CORPORATION HOME  
14 EQUITY TRUST, SERIES 2005-HE2, ASSET  
15 BACKED PASS-THROUGH CERTIFICATES,  
16 SERIES 2005-HE2,

Case No.: 2:17-cv-01866-APG-NJK

17 **STIPULATION AND ORDER TO FILE  
18 FIRST AMENDED COMPLAINT**

19 Plaintiff,

20 vs.

21 ANTIGUA MAINTENANCE  
22 CORPORATION; EAST CACTUS 2071  
23 TRUST; NEVADA ASSOCIATION  
24 SERVICES, INC.,

25 Defendants.

26 Plaintiff U.S. BANK, NATIONAL ASSOCIATION, AS TRUSTEE FOR ASSET  
27 BACKED SECURITIES CORPORATION HOME EQUITY TRUST, SERIES 2005-HE2,  
28 ASSET BACKED PASS-THROUGH CERTIFICATES, SERIES 2005-HE2 (“US Bank”);  
Defendant ANTIGUA MAINTENANCE CORPORATION (“Antigua”); and Defendant EAST  
CACTUS 2071 TRUST (“East Cactus”) hereby stipulate and agree as follows:

//

- 1     1. On November 29, 2017, US Bank filed a Motion for Leave to File First Amended  
2         Complaint (ECF No. 26). The Motion attached a proposed First Amended Complaint,  
3         which added causes of action against Antigua and the HOA Trustee (Nevada Association  
4         Services).
  - 5     2. No party has filed an opposition to the Motion.
  - 6     3. The Court has not entered a decision on the Motion.
  - 7     4. After the Motion was filed, East Cactus disclosed the identity of the Trustee for the trust.
  - 8     5. US Bank now seeks to amend the complaint to include the name of the Trustee for the  
9         East Cactus trust.
  - 10    6. Attached as Exhibit 1 to this Stipulation is a Revised First Amended Complaint, which  
11         amends the proposed First Amended Complaint by identifying the trustee and including  
12         the name of the trustee of the East Cactus 2071 Trust in the caption.
  - 13    7. The parties hereby stipulate and agree that US Bank may file the Revised First Amended  
14         Complaint.

## **IT IS SO STIPULATED.**

DATED this \_\_\_\_ day of February, 2018.

DATED this 26<sup>th</sup> day of February, 2018.

**WRIGHT, FINLAY & ZAK, LLP**

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1. On November 29, 2017, US Bank filed a Motion for Leave to File First Amended Complaint (ECF No. 26). The Motion attached a proposed First Amended Complaint, which added causes of action against Antigua and the HOA Trustee (Nevada Association Services).
  2. No party has filed an opposition to the Motion.
  3. The Court has not entered a decision on the Motion.
  4. After the Motion was filed, East Cactus disclosed the identity of the Trustee for the trust.
  5. US Bank now seeks to amend the complaint to include the name of the Trustee for the East Cactus trust.
  6. Attached as Exhibit 1 to this Stipulation is a Revised First Amended Complaint, which amends the proposed First Amended Complaint by identifying the trustee and including the name of the trustee of the East Cactus 2071 Trust in the caption.
  7. The parties hereby stipulate and agree that US Bank may file the Revised First Amended Complaint.

## **IT IS SO STIPULATED.**

DATED this 2nd day of March, 2018.

DATED this \_\_\_\_ day of February, 2018.

## **WRIGHT, FINLAY & ZAK, LLP**

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*/s/ E. Daniel Kidd, Esq.*

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1  
2 DATED this 2nd day of March, 2018.

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10

11 **ORDER**

12 Based on the foregoing Stipulation, and good cause appearing thereof, the Court hereby  
13 orders that US Bank is granted leave to amend to file the Revised First Amended Complaint,  
14 which was attached as Exhibit 1 to the Stipulation. US Bank shall file the Revised First  
15 Amended Complaint within 14 days of the entry of an order on this Stipulation.

16 Additionally, the motion to amend at Docket No. 26 is DENIED as  
17 moot.

18 IT IS SO ORDERED.

19 Dated: March 5, 2018

20   
United States Magistrate Judge